

## **Public Consultation on the Human Rights obligations related to Sanitation**

### **Views of the United States of America**

The United States takes domestic and international sanitation issues seriously and strongly supports the goal of improved sanitation. The United States likewise recognizes the importance of meeting basic sanitation needs to support human health, economic development, and peace and security.

The United States does not share the view that a “right to sanitation” exists under international human rights law. This view is informed by a review of the relevant instruments of international human rights law. Such a review demonstrates that there is no internationally agreed “right to sanitation.” Neither the Universal Declaration of Human Rights (UDHR) nor the International Covenant on Economic, Social, and Cultural Rights (ICESCR) mentions sanitation. Any right to sanitation would need to specify a definition, as well as specify the obligations and duties of governments and the correlative rights of individuals that would be entailed in the creation of such a legal “right”.

To say there is not a legal right to sanitation under international law does not detract from our abiding belief that sanitation is a fundamental human need, which countries as a matter of governance have a responsibility to realize for their people. A critical element of our common efforts to ensure basic sanitation around the world is the important role the international community’s must play in helping countries in need to accomplish this important objective. Ironically, focusing efforts on recognizing the right to sanitation is not, in our view, the most practical or effective way to improve basic sanitation globally. Seeking agreement on the scope and nature of such a right is likely to detract from valuable, more pragmatic and effective efforts to improve sanitation around the world and shift responsibility for providing these basic services away from national governments.

As noted above, while there is no “right to sanitation” under international law, as a matter of policy and good government it is manifest that governments should take effective action to promote access to basic sanitation. At the same time, access to basic sanitation can advance the realization of certain human rights, such as the right to a standard of living adequate for the health and well-being of all individuals. UDHR, Art. 25. Basic sanitation may also be appropriate or even necessary for the furthering of certain other “economic, social and cultural rights indispensable for [one’s] dignity and the free development of [one’s] personality.”